

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7077

BILL NUMBER: HB 1242

NOTE PREPARED: Jan 8, 2011

BILL AMENDED:

SUBJECT: Various Election Law Matters.

FIRST AUTHOR: Rep. Richardson

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☐ **FEDERAL**

IMPACT: State & Local

Summary of Legislation: The bill makes the following changes to the election law:

Contents of Reports- The bill specifies the contents of statewide voter registration system reports.

Voter Registration List Maintenance- The bill specifies certain procedures in connection with voter list maintenance, and updates procedures for address changes of voter registration records in the statewide voter registration system.

Return of Declaration of Candidacy Petitions- The bill permits a county voter registration office to return to a candidate for President of the United States, United States Senator, or governor, after the petition is certified, an original petition that accompanies a declaration of candidacy.

Matching Candidate and Ballot Questions/Device Certification Dates- The bill changes several dates concerning the certification of ballot questions and devices to conform to the date in current law for the certification of candidates.

Dissolving Candidate Committees- The bill permits the dissolution of a committee without the waiver of outstanding civil penalties previously imposed on the committee, and specifies that the chairman or treasurer of the committee remains liable for any committee debts.

Registration Records Update- The bill requires that county voter registration records be updated not later than 60 days after election day or after completion of a recount or contest.

Precinct Boundaries- The bill revises precinct boundary change procedures.

Candidate Ballot Vacancies- The bill amends provisions concerning candidate ballot vacancy procedures.

Repealers and Technical Corrections- The bill repeals obsolete references concerning voting instructions, paper ballots, and special polling places. It makes a technical correction.

Effective Date: July 1, 2011.

Explanation of State Expenditures: *Matching Candidate and Ballot Questions/Device Certification Dates-* The bill would place the certification of independent or minor political party candidates, public questions and devices on the same date as the certification of nominees and ballot placement. The deadline for Secretary of State certification of the above items would be 74 days before the general election. The proposed deadline for the 2010 general election would have been approximately noon on Friday, August 20, 2010, the same day as in current law.

Explanation of State Revenues: *Dissolving Candidate Committees-* This provision could increase collection of outstanding civil penalties assessed on candidate committees. Under current law, in order to be administratively dissolved, the Election Commission must determine that further effort to collect outstanding civil penalties from a committee is not a prudent use of state resources. This provision would give the Election Commission the option to waive penalties *after* a committee has been administratively dissolved. Therefore, committees could be dissolved while remaining liable for any civil penalties assessed.

As of December 16, 2010, the Election Division (ED) had 164 candidate committees with approximately \$130,496.54 in unpaid civil penalties. None of the 164 committees have been turned over to the Attorney General (AG) to date. The ED has not turned over a committee with unpaid civil penalties to the AG since December 2007.

Civil penalties collected from candidate committees are deposited into the Campaign Finance Enforcement Account.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Dissolving Candidate Committees-* This provision could increase the collection of outstanding civil penalties assessed on candidate committees. Under current law, in order to be administratively dissolved, county election boards must determine that further efforts to collect outstanding civil penalties from a committee are not a prudent use of local resources. The bill would allow boards the option to waive penalties *after* a committee has been administratively dissolved. Therefore, committees could be dissolved while remaining liable for any penalties assessed.

State Agencies Affected: Secretary of State, Election Division, Treasurer of State.

Local Agencies Affected: County Election Boards; Circuit Court Clerk.

Information Sources: State Budget Agency, Auditor's Data; Election Division.

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